

32B-4-415. Unlawful bringing onto premises for consumption.

(1) Except as provided in Subsection (4), a person may not bring an alcoholic product for on-premise consumption onto the premises of:

- (a) a retail licensee or person required to be licensed under this title as a retail licensee;
- (b) an establishment that conducts a business similar to a retail licensee;
- (c) an event where an alcoholic product is sold, offered for sale, or furnished under a single event permit or temporary beer event permit issued under this title; or
- (d) an establishment open to the general public.

(2) Except as provided in Subsection (4), the following may not allow a person to bring onto its premises an alcoholic product for on-premise consumption or allow consumption of an alcoholic product brought onto its premises in violation of this section:

- (a) a retail licensee or a person required to be licensed under this title as a retail licensee;
- (b) an establishment that conducts a business similar to a retail licensee;
- (c) a single event permittee or temporary beer event permittee;
- (d) an establishment open to the general public; or
- (e) staff of a person listed in Subsections (2)(a) through (d).

(3) Except as provided in Subsection (4)(c)(i)(A), a person may not consume an alcoholic product in a limousine or chartered bus if the limousine or chartered bus drops off a passenger at a location from which the passenger departs in a private vehicle.

(4) (a) A person may bring bottled wine onto the premises of the following and consume the wine pursuant to Subsection 32B-5-307:

- (i) a full-service restaurant licensee;
- (ii) a limited restaurant licensee;
- (iii) a club licensee; or
- (iv) a person operating under a resort spa sublicense.

(b) A passenger of a limousine may bring onto, possess, and consume an alcoholic product on the limousine if:

- (i) the travel of the limousine begins and ends at:
 - (A) the residence of the passenger;
 - (B) the hotel of the passenger, if the passenger is a registered guest of the hotel; or

- (C) the temporary domicile of the passenger; and

- (ii) the driver of the limousine is separated from the passengers by partition or other means approved by the department.

(c) A passenger of a chartered bus may bring onto, possess, and consume an alcoholic product on the chartered bus:

- (i) (A) but may consume only during travel to a specified destination of the chartered bus and not during travel back to the place where the travel begins; or
- (B) if the travel of the chartered bus begins and ends at:
 - (I) the residence of the passenger;
 - (II) the hotel of the passenger, if the passenger is a registered guest of the hotel;

or

- (III) the temporary domicile of the passenger; and

(ii) if the chartered bus has a nondrinking designee other than the driver traveling on the chartered bus to monitor consumption.

(5) A person may bring onto any premises, possess, and consume an alcoholic product at a private event.

(6) The restrictions of Subsections (2) and (3) apply to a resort licensee or person operating under a sublicense in relationship to:

- (a) the boundary of a resort building; or
- (b) a sublicense premises.

Enacted by Chapter 276, 2010 General Session